

**BEFORE THE MINNESOTA  
EMERGENCY MEDICAL SERVICES REGULATORY BOARD**

In the Matter of the Certificate  
of: Jason Seltun, EMT-Basic  
Certificate Number: 505510

**STIPULATION AND ORDER FOR  
SUSPENSION OF CERTIFICATE**

**STIPULATION**

Jason Seltun, EMT-B (“Respondent”), and the Complaint Review Panel (“Panel”) of the Minnesota Emergency Medical Services Regulatory Board agree that the above-referenced matter may be resolved without trial of any issue or fact as follows:

**I.**

**JURISDICTION**

1. The Minnesota Emergency Medical Services Regulatory Board (“Board”) is authorized pursuant to Minnesota Statutes Chapter 144E (2006) to certify and regulate emergency services technicians and to take disciplinary action as appropriate.

2. During all times material herein, Respondent has been and now is subject to the jurisdiction of the Board by which he was issued a certificate as an emergency medical technician in the State of Minnesota.

**II.**

**CONFERENCE**

3. On July 16, 2007, Respondent appeared before the Panel to discuss allegations contained in a Notice of Conference dated June 26, 2007. Assistant Attorney General Karen B. Andrews, 1400 Bremer Tower, 445 Minnesota Street, St. Paul, MN 55101, (651) 296-0410 represented the Panel at the conference.

4. Respondent was advised that he may choose to be represented by legal counsel in this matter. Although aware of his right to representation by counsel, Respondent knowingly and expressly waived that right.

### III.

#### FACTS

5. The parties agree this Stipulation and Order is based upon the following facts:

a. Respondent volunteered as an EMT-B on the New Richland Ambulance Service. Respondent also served as EMS Chief of New Richland Ambulance.

b. On July 31, 2004, Respondent responded to an emergency call as part of the crew for New Richland Ambulance. At completion of the call, Respondent completed ambulance patient care reports 222852 and 222853, documenting two EMTs on the call. The Board confirmed that Respondent was the only EMT on the call. Respondent admitted that he knowingly misrepresented this information on the ambulance patient care reports. This resulted in New Richland Ambulance being in violation of Minnesota Statutes 144E.101, subd. 6.

c. Respondent denies being suicidal and denies excessive alcohol consumption. However, in November 2005, Respondent admitted to getting intoxicated and calling a female crew member for help, resulting in a welfare check by local police. On January 18, 2006, Respondent also sent the same crew member a letter stating, "I will stop drinking and will work on controlling my mental health also. I will stop thinking about killing myself." Additionally, on January 22, 2007, Respondent sent text messages to crew members that were perceived by those crew members to be suicidal in nature, resulting in another welfare check by local police.

d. On February 3, 2006, a female crew member and her husband obtained a restraining order against Respondent. Respondent subsequently resigned from the ambulance service.

e. In spring or early summer of 2006, Respondent placed a sign in his garage window stating, "Today is a good day to die."

f. On August 1, 2006, Respondent swerved his vehicle toward children riding their bicycles in the alley near his home. A police report was filed by the ambulance manager, who is the parent of one of the children. Respondent subsequently pleaded guilty to careless driving as a result of this incident.

#### **IV.**

#### **LAWS**

6. Respondent acknowledges that the conduct described in section III. above constitutes a violation of Minnesota Statutes section 144E.28, subdivision 5 (2006), and justifies the disciplinary action described in section V. below.

#### **V.**

#### **DISCIPLINARY ACTION**

The parties agree the Board may take the following disciplinary action and require compliance with the following terms:

##### **A. Suspension**

7. The Board **SUSPENDS** Respondent's certification as an emergency medical technician. Respondent shall not engage in any act which constitutes practice as an emergency medical technician as defined in Minnesota Statutes sections 144E.001 and 144E.28, nor shall he in any manner represent or hold himself out as being authorized to do so.

8. Respondent shall surrender to the Board his EMT certificate card within ten (10) days from the date of this Order. Respondent shall personally deliver or mail the certificate to the Minnesota Emergency Medical Services Regulatory Board, c/o Mary Hedges, Executive Director, 2829 University Avenue S.E., Suite 310, Minneapolis, Minnesota 55414.

9. In the event Respondent fails to comply with paragraphs 7 and 8, immediately above, the Board may seek injunctive relief and/or refer the matter to criminal law enforcement officials as unauthorized practice.

### **B. Removal of Suspension**

10. Respondent may petition for removal of the suspended status of his certificate. The burden of proof shall be upon Respondent to demonstrate by a preponderance of the evidence that he is capable of practicing as an emergency medical technician in a fit and competent manner without risk of harm to the public. At the time of Respondent's petition, Respondent shall meet with the Panel. At the time of Respondent's petition, Respondent shall comply with, at a minimum, the following:

a. Respondent shall demonstrate that he has undergone a psychiatric evaluation and a chemical dependency evaluation;

b. Respondent shall provide a letter from his treatment provider(s) discussing his mental health and chemical dependency status and his compliance with any recommended treatment or counseling;

c. Respondent's health care provider(s) shall declare that Respondent is capable of practicing as an emergency medical technician in a fit and competent manner.

d. Respondent shall meet all recertification requirements in effect at the time of his petition to remove the suspended status from his certificate, including but not limited to,

completing the appropriate application, paying the requisite fees, and completing any necessary continuing education requirements.

11. Respondent will not petition the Board for re-certification except upon the conclusion of all criminal proceedings, if any, involving the conduct described in paragraph 2, including the conclusion of any and all appeals. In the event of a conviction, no petition for re-certification may be submitted earlier than one (1) year from the date of sentencing; except that if the sentence includes incarceration, Respondent may not petition earlier than one (1) year from the date of his release from the correctional facility. Any petition for re-certification shall include evidence that Respondent has satisfied all reinstatement requirements under Minnesota Statutes, section 144E.28, subdivision 8, and paid any related fee. Any petition submitted subsequent to a conviction shall also include evidence of Respondent's compliance with all terms and conditions of probation or parole.

12. The Board may, at any regularly scheduled meeting following Respondent's petition for recertification pursuant to paragraph 10 above, take any of the following actions:

- a. Issue an emergency medical technician certificate to Respondent;
- b. Issue an emergency medical technician certificate to Respondent with limitations upon the scope of Respondent's practice and/or with conditions for Respondent's practice; or
- c. Continue the suspension of Respondent's certificate upon his failure to meet the burden of proof.

## VI.

### ADDITIONAL TERMS

13. Respondent waives the contested case hearing and all other procedures before the Board to which Respondent may be entitled under the Minnesota and United States constitutions, statutes, or rules.

14. Respondent waives any claims against the Board, the Minnesota Attorney General, the State of Minnesota, and their agents, employees, and representatives related to the investigation of the conduct herein, or the negotiation or execution of this Stipulation and Order, which may otherwise be available to Respondent.

15. This Stipulation and Order, the files, records, and proceedings associated with this matter, shall constitute the entire record and may be reviewed by the Board in its consideration of this matter.

16. Either party may seek enforcement of this Stipulation and Order in any appropriate civil court.

17. Respondent has read, understands, and agrees to this Stipulation and Order and has voluntarily signed the Stipulation and Order. Respondent is aware this Stipulation and Order must be approved by the Board before it goes into effect. The Board may either approve the Stipulation and Order as proposed, approve it subject to specified change, or reject it. If the changes are acceptable to Respondent, the Stipulation and Order will take effect and the order as modified will be issued. If the changes are unacceptable to Respondent or the Board rejects the Stipulation and Order, it will be of no effect except as specified in the following paragraph.

17. Respondent agrees that if the Board rejects this Stipulation and Order or a lesser remedy than indicated in this settlement, and this case comes again before the Board, Respondent

will assert no claim that the Board was prejudiced by its review and discussion of this Stipulation and Order or of any records relating to it.

18. This Stipulation and Order shall not limit the Board's authority to proceed against Respondent by initiating a contested case hearing or by other appropriate means on the basis of any act, conduct, or admission of Respondent which constitutes grounds for disciplinary action and which is not directly related to the specific facts and circumstances set forth in this document.

## VII.

### DATA PRACTICES NOTICES

19. This Stipulation and Order constitutes disciplinary action by the Board and is classified as public data pursuant to Minnesota Statutes section 13.41, subdivision 5 (2006). Data regarding this action will be provided to data banks as required by Federal law or consistent with Board policy. While this Stipulation and Order is in effect, information obtained by the Board pursuant to this Order is considered active investigative data on a licensed health professional, and as such, is classified as confidential data pursuant to Minnesota Statutes section 13.41, subdivision 4 (2006).

20. This Stipulation contains the entire agreement between the parties, there being no other agreement of any kind, verbal or otherwise, which varies this Stipulation.

Dated: 9-17-2007

Dated: 9/25/07

  
\_\_\_\_\_  
Jason Seltun, EMT-Basic  
Respondent

  
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FOR THE PANEL

**ORDER**

Upon consideration of this stipulation and all the files, records, and proceedings herein,  
IT IS HEREBY ORDERED that the terms of this stipulation are adopted and implemented by the  
Board this 15<sup>th</sup> day of November, 2007.

MINNESOTA EMERGENCY MEDICAL  
SERVICES REGULATORY BOARD

By: \_\_\_\_\_

MARY HEDGES  
Executive Director

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